



**SUPREME COURT
MATTER
MOST URGENT**

No:SO(Staff)/SMBR/BOR/2021/ 64
**BOARD OF REVENUE
GOVERNMENT OF SINDH**
Dated: 05-05-2021

To,


1. The Commissioner
Karachi Division, Karachi
2. The Member,
Land Utilization Department
Govt. of Sindh
Karachi
- ✓ 3. The Secretary
Transport & Mass Transit Department
Govt. of Sindh
4. The Deputy Commissioner
District Korangi
Karachi
5. The Deputy Commissioner
District South
Karachi

Sub: MEETING REGARDING SUPREME COURT MATTERS

I am directed to refer to the captioned subject and to enclose herewith minutes of the meeting held on 24th April 2021 under the chairmanship of Hon'ble Chief Justice of Supreme Court of Pakistan @ Karachi Registry and to state that worthy Senior Member, Board of Revenue Sindh has been pleased to convene a meeting under his chairmanship on 7th May 2021 at 10:30AM at Barrack 79, Board of Revenue Camp Office, adjacent to High Court building Saddar, Karachi to review the progress of the following agenda items:

- *Progress regarding transfer of land for construction of new Rest House for Hon'ble judges of Supreme Court of Pakistan at Karachi*
- *Progress regarding issue of allotment of plots/land adjacent to Judicial Complex and District Courts Karachi*

I am further directed to request you to please go through the contents of the enclosed minutes of the meeting and make it convenient to attend the aforesaid meeting on the above date, time and place positively being prepared alongwith the relevant documents for process of acquisition matter please.


(MUNAWAR ALI MAHESAR)
SECRETARY (REVENUE)
BOARD OF REVENUE SINDH

C.c to:

1. Mr. Munawar Ali, Deputy Registrar, Supreme Court of Pakistan Karachi Registry
2. Staff officer to Senior Member, Board of Revenue Sindh
3. The Master file 2021

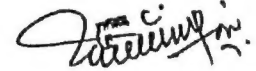
Ph: 99212310
Fax: 99212305
Mob: 0333-3768601

No: D.R(K)/2021-SCK
SUPREME COURT OF PAKISTAN
Karachi, 03rd May, 2021

- To,
1. The Chief Secretary, Govt. of Sindh, Karachi.
 2. The Commissioner, Karachi.
 3. The Administrator, Karachi.
 - ✓ 4. The Sr. Member Board of Revenue, Sindh.
 5. The Secretary, Land Utilization Department, Govt. of Sindh, Karachi.
 6. The Chief Engineer, Pak P.W.D. (South), Karachi.

Sub: MINUTES OF THE MEETING HELD ON 24th APRIL, 2021 AT 11.00.A.M. AT SUPREME COURT BRANCH REGISTRY, KARACHI.

Please find enclosed herewith a copy of the minutes of the subject meeting dated: 24.04.2021, for information and necessary action.



(Munwar Ali)
Deputy Registrar

Copy is forwarded to:

- The Secretary to Hon'ble Chief Justice of Pakistan.
- The P.S to Worthy Registrar, Supreme Court of Pakistan, Islamabad.

Important

secy (LU) Dept ✓

P. fix the writing on Monday.

- i) Com Karachi.*
- ii) Member LU.*
- iii) Sr. Member*
- iv) By Insp.*
- v)*

By Mr.

5.5.21

F.S. TO S.M.B.R.
O/I NO 2570
Dated 04/5/21

**MINUTES OF THE MEETING OF BUILDING COMMITTEE
HELD ON 24th April, 2021 (SATURDAY) AT 11:00 A.M.
AT SUPREME COURT BRANCH REGISTRY, KARACHI**

Present:

Hon'ble Mr. Justice Gulzar Ahmed, Chairman
Chief Justice of Pakistan,

In attendance:

1. Mr. Mumtaz Ali Shah,
Chief Secretary, Government of Sindh Karachi.
2. Mr. Naveed Ahmed Shaikh,
Commissioner Karachi.
3. Mr. Alam Din Bullo
Sr. Member Board of Revenue
4. Mr. Sami Siddiqui,
Secretary Land Utilization Department
5. Mr. Anwar-ul-Haq Dogar
Chief Engineer
Pak.PWD (South) Karachi
7. Mr. Munawar Ali
Deputy Registrar,
Supreme Court Branch Registry, Karachi

At the very outset, the Hon'ble Chairman welcomed the participants and discussed the agenda as under:

***1) Progress regarding construction of new building
for Supreme Court Branch Registry Karachi.***

Regarding construction of new building the Hon'ble chairman directed that the ground breaking ceremony will be held on 10th of May, 2021 at 12 Noon. The Hon'ble Chairman further directed that as the coronavirus is spreading in the country there should be no crowd of people except 5 or 6 Judges and those are necessary.

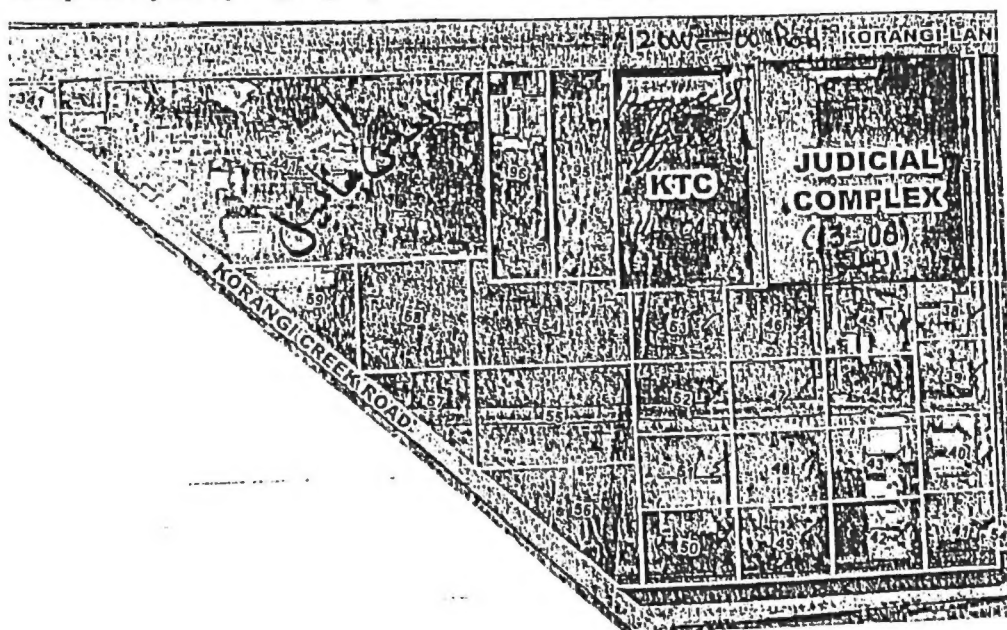
***2) Progress regarding transfer of land for
construction of new Rest House for Hon'ble
Judges, Supreme Court of Pakistan at Karachi.***



The Hon'ble Chairman while enquired about the progress, directed that there should be a systematic rest house for Judges and as new building for Karachi Branch Registry is being constructed, the judges' rest house should also be constructed where about 10 to 14 Judges can stay at a time. The Hon'ble Chairman directed the Chief Secretary Sindh to look into this matter and make the land available for this purpose immediately.

3) Progress regarding issue of allotment of plots/land adjacent to Judicial complex & District Courts at Karachi

The Hon'ble Chairman while enquiring about the progress, directed that there should be more than 100 acres land for judicial purpose as in future if we shift the all-city courts at Korangi, there should be no problem. The Hon'ble Chairman directed the Chief Secretary Sindh, Senior Member Board of Revenue and Secretary Land Utilization Department to look into this matter and allot all the plots shown on map except plot of Indus Hospital by adopting legal procedure for this purpose.



4) Progress regarding dysfunctional lift / elevator for Court & Advocates.

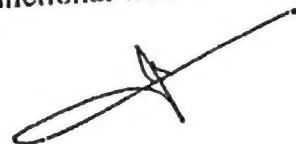
The Chief Engineer Pak.PWD informed that lift has arrived and it would be installed in next few days. The Hon'ble Chairman directed that

since the Senior Advocates and old aged litigants are facing problem the installation of new lift should be completed in thirty days without any further delay.

In General

The Hon'ble Chairman asked about the bad condition of the city of Karachi. The Hon'ble Chair asked to comply with orders passed in Constitutional Petition No.09/2010 by taking steps for the glory of city and few instances are pointed out and directed as under:

- i. At the back side of airport, there is a plot from Gulishtan-e-Johar side which is land of park and make it park. It was also noted that Habib University seem to be constructed on NALA.
- ii. The Water Board Colony shall be cleared from encroachments and the Commissioner Karachi shall properly develop the park with big tall trees and install complete grill with clear view wherefrom marriage halls were demolished.
- iii. The entire open Land near Urdu college shall be protected from Qabza/illegal occupation, if it is play ground than make it fully functional and its remaining area shall be used as park for public at large.
- iv. The Aziz Bhatti Shaheed Park shall be made functional while removing the debris of demolished custom club from park and include the area as part of park.
- v. The plot besides Jinnah Courts shall also be protected where there is Jahangir Feroz Shah Health Culture Institute.
- vi. The parking at Bara Dari in Polo-ground is not legally allowed to PC Hotel, Karachi. There is no utility of underground parking at Bara Dari. The Commissioner Karachi shall look into matter and submit report.
- vii. The Burns Garden shall be maintained by removing all encroachments in light of orders passed by this Court. The Commissioner Karachi, Administrator Karachi and authorities of National Museum shall ensure removal of unnecessary grills and make this park fully functional with all facilities for general public.

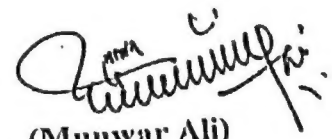


- viii. The parks shall be maintained with treated water without any delay and no reason for water shortage shall be mentioned in future.
- ix. Park adjacent to Federation House be developed as functional park and opened for public.

The Hon'ble Chairman further directed the Chief Secretary and Commissioner Karachi to work for the welfare of public and provide the facility of parks, playgrounds etc., to them on the open spaces/amenity plots; park means park and there shall be no extra things or any other commercial activities be allowed. Open spaces should remain open similarly amenity plots and playgrounds should also remain as they are shown in Master Plan. There are encroachments and houses built on green belts. Allotments of open spaces have been made without considering pros and cons but nothing has been done in order to provide basic necessities of life. Let all encroachments on green belts and open spaces in the city be removed and plantation be made on open spaces. This Court had passed order for removing of all encroachments and walls but, the same are still in existence. The order of this Court should be complied with in its letter and spirit without further delay.

In the end, the Hon'ble Chairman directed to all concerned to do their respective jobs in such a manner that all the works should be completed as early as possible.

The meeting concluded with the vote of thanks to and from the Chair.


(Munwar Ali)
Deputy Registrar

Meeting regarding Supreme Court Matters – Talking Points

Context:

This is with reference to a letter from the office of Secretary Revenue (Board of Revenue Sindh [Letter No. SO(Staff)/SMRB/BOR/2021/64 dated 5th May 2021] and a meeting to be held on 7th May 2021 under the Chairmanship of Senior Member, Board of Revenue to review the *following* agenda items. This is basically in pursuance to a meeting held on 24th April 2021 under the Chairmanship of Honorable Chief Justice of Supreme Court of Pakistan @ Karachi Registry (minutes of this meeting was attached with the above mentioned letter dated 5th May 2021)

- Progress regarding transfer of land for construction of new rest house for Honorable judges of Supreme Court of Pakistan at Karachi.
- Progress regarding issue of allotment of plots/land adjacent to Judicial Complex and District Courts Karachi.

Background of Mass Transit Program:

As part of the study for Karachi Transportation Improvement Project known as JICA Master Plan of 2012, a Karachi Urban Transport Master Plan (KUTMP 2030) was developed. KUTMP has also identified priority mass transit Projects that Karachi needs to undertake to overcome the looming urban mobility crisis. These recommendations focus on immediate and future needs for which implementation steps are to be taken.

The KUTMP proposed revitalization of Karachi Circular Railway, 2 Mass Rapid Transit (MRT) Corridors (Blue and Brown), and 6 BRT (Green, Yellow, Red, Orange, Purple and Aqua). KUTMP prioritized the implementation of the KCR, and the Green, Orange, Red, Blue and **Yellow** Corridors.

The Karachi City Diagnostic and Transformation Strategy prepared by the World Bank, identifies infrastructure gaps of over \$9 billion. The findings of this report points out that a timely, comprehensive and programmatic phased approach is needed to improve Karachi's competitiveness, livability and sustainability.

Green BRT project (from Surjani till Municipal Park) has been undertaken with the assistance of Federal Government of Pakistan (through Sindh Infrastructure Development Corporation Limited – SIDCL). The Orange BRT project (from TMA Office Orangi till Matric Board Office) has been undertaken by the Government of Sindh which will physically integrate with Green BRT at Matric Board Office. The operations of both projects are to be undertaken by the SIDCL while their infrastructure is almost complete.

The Red BRT (from Model Colony till Numaish) project has been undertaken by Government of Sindh with the financial assistance of Asian Development Bank (ADB). The detailed design of the project is complete and. The procurement of civil works contractor and construction supervision consultant is on-going and the project implementation is at advanced stage.

The Karachi Mobility Project – Yellow Bus Rapid Transit:

The Karachi Mobility Project – Yellow BRT corridor was undertaken with the financial assistance of the World Bank. The PC-1 was approved at the cost of **PKR 61.436 billion** (USD 438.9 million) from Executive Committee of the National Economic Council (ECNEC) on 2nd October 2019.

The *Project Agreement* and *Loan Agreement* were signed on **26th November 2019** between the World Bank and Government of Sindh / Pakistan.

Following are salient features of the project,

| | |
|----------------------------------|--|
| The proposed corridor alignment: | from Dawood Chowrangi (Korangi) till Numaish via Korangi Road, Shahrah-e-Faisal and Shahrah-e-Quaideen. |
| Alignment Length | 22 Kms |
| Dedicated BRT Alignment | 21 Kms |
| Mixed Traffic | 1 Kms (along Shahrah-e-Faisal from FTC flyover till Nursery flyover) |
| Grade Separated Structures | 8 Underpasses and 2 Elevated U-Turns (at National Medical Center and Akhtar Colony/Khayaban-e-Ittehad) |
| Rolling Stock | 268 Buses (output of the operational plan based on the travel demand) |
| Number of BRT Stations | 28 (22 stations at-grade and 6 stations at underpass) |
| Bus Depots | 1) Landhi Depot (East) with the area of 3.3 acre. (for 80 buses) 2) Christian Colony (South) with the area of 9.1 acre. (for 188 buses) |

Significance of Bus Depots:

The BRT Yellow Line bus operation involves a large number of buses with the forecasted ridership of **300,000 passengers per day**. Therefore, depot areas are required to handle a large fleet offering range of facilities such as sufficient bus parking areas, re-fueling facilities, vehicle washing and cleaning, maintenance and repair areas, administrative space for operators, control center and employee facilities.

The location, layout, convenience, and management of facilities at depot significantly affect overall system efficiency (operational and financial). Keeping in view all these parameters, depots have been envisaged at *nearby* locations to the project corridor.

Two above-mentioned sites are available near the bus corridors which have been envisaged and included in the approved PC-1 for development of depot facility.

Issues:

The Bus Depot near Christian Colony (South) adjacent to the Indus Hospital has been envisaged and considered for the Yellow BRT project to cater for 188 buses (result of the operational plan). The preliminary design has already been prepared accordingly for cost estimation to be incorporated in the PC-1.

The location of the bus depots is of significance in the overall operational designing of any BRT project. Farther a depot from the main BRT (or bus) corridor more will be the **dead mileage** which will ultimately increase financial subsidy to be paid annually by the Government of Sindh.

If location of the bus depot gets changed at this point of time, the financial model will have to be revised because of the change in operational plan. This will result in *changes in cost estimation* and hence *revision of PC-1* (the *entire process* will have to be repeated from the Technical Committee Meeting, PDWP, CDWP and then ECNEC). It is pertinent to note that there are times when these meetings are to be held *multiple times* to clear the PC-1, considering the nature, scale and complexity of Karachi Mobility Project. This process will further **delay** the project implementation approximately by approximately **12 months**.

Considering the fact that this revision of PC-1 will be needed while the loan is already effective (since 26th November 2019), the *commitment charges* will go on accumulating resulting in loss to national exchequer. Also, it may result in *re-negotiating* the loan which might not be a preferred option considering the **Covid-19 scenario** and the financially pressed situation, the loan amount might get divested in some other initiatives or projects.

The project implementation is at the advanced stage and the consultant to provide detailed design and construction supervision services is going to be on-board by 15th June 2021 (financial proposals have already been opened on 29th April 2021 and are under evaluation at the moment). The Terms of Reference (TOR) in the RFP has been approved in such way that the **initial three packages** to be undertaken for construction are two above mentioned bus depots and the Jam Sadiq Bridge. The project implementation has been planned in such a way that preparation of detailed design and construction will be undertaken simultaneously. This means that if there is a non-availability of the depot land at this stage, the preparation of detailed designing will get delayed resulting in financial implications in the form of claims from consultant.

Without finalization of the Bus Depot's land issue, the project cannot go in operations phase since the buses for Yellow BRT cannot be stationed at farther place. It will increase the operational subsidy by manifold and also connectivity issues with feeder routes which will have a negative impact on the ridership.

In view of the Karachi's desperate need of a well-planned and well-designed integrated transport network, it is not in the best interest of the project to change the location of this Bus Depot and utilize this land for purposes other than Karachi Mobility Project.

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